

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2003-000573-001 DT

09/09/2003

HONORABLE MICHAEL D. JONES

CLERK OF THE COURT
P. M. Espinoza
Deputy

FILED: _____

STATE OF ARIZONA

ANDREA L KEVER
GERALD R GRANT

v.

JIMMY DON CAMP (001)

JIMMY DON CAMP
31027 N 42ND PL
CAVE CREEK AZ 85331

GLENDALE JUSTICE COURT

MINUTE ENTRY

IT IS ORDERED VACATING in its entirety this court's minute entry of September 3, 2003, and substituting this minute entry in its stead.

This Court has received an Application for Orders to Show Cause from the State regarding Appellant's failure to pay restitution. This Court lacks jurisdiction over this issue. This matter is a criminal appeal pending before this court. The Glendale Justice Court (the trial court) still retains jurisdiction for enforcement of its restitution orders, pending this appeal. A.R.S. Section 13-804(D) provides that restitution payments ordered pursuant to A.R.S. Section 13-603 are NOT stayed after the filing of a notice of appeal. And, A.R.S. Section 13-805(A) provides for continuing jurisdiction by the trial court over restitution until all of the restitution is paid or the sentence expires.

This Court lacks authority to issue the order requested by Appellee, as this Court's jurisdiction is appellate in nature and limited by Rule 12 of the Superior Court Rules of Appellate Procedure-Criminal.

IT IS THEREFORE ORDERED DENYING the Application for Order to Show Cause, with leave for the State to reurge this application before the trial court.